

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3, 5-9 and 13-33 are pending in the application, with 1, 27 and 28 being the independent claims. Claims 4 and 12 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1, 3, 5, 13-17, 24, 27 and 28 are sought to be amended. New claims 31-33 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Allowable Subject Matter

Applicants thank the Examiner for identifying allowable subject matter. On page 6 of the Office Action the Examiner indicated that claims 3-9, 15-26, 29 and 30 would be allowable if rewritten in independent form including all of the limitations of their base claim and any intervening claims.

Rejections under 35 U.S.C. § 102

Claims 1, 12 and 13 stand rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 6,331,790 to Or-Bach et al. ("Or-Bach"). Claims 1, 12-14, 27 and 28 also stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,765,245 to Bansal ("Bansal"). Applicants have made the above

amendments incorporating allowable subject matter to expedite allowance of this application. Applicants reserve the right to represent claims and argue patentability in a continuation.

Applicants have amended independent claim 1 to include allowable claim 4, while removing an element from claim 1 not believed necessary in combination with the feature of claim 4 to distinguish the art of record. The removed element has been added to new dependent claim 31.

Applicants have amended independent claims 27 and 28 to include allowable claims 3 and/or 4, while removing elements from claims 27 and 28 not believed necessary in combination with the added features to distinguish the art of record. One or more of the removed elements has been added to new dependent claims 32 and 33.

Thus, Or-Bach and Bansal fail to teach or suggest "a plurality of modifiable cycles ... wherein a state of any modifiable cycle is repeatedly programmable by altering any one of the metal layers and/or any one of the vias" as recited by amended claims 1, 27 and 28. For at least this reason, Applicants respectfully submit that claims 1, 27 and 28 are patentable over the art of record.

Claim 5 has been amended to depend from amended claim 1. Based on the their dependency (directly or indirectly) on claim 1, claims 3, 5-9, 13-26 and 31 are therefore also believed to be patentable over the art of record.

Similarly, Applicants have made amendments to claims 27 and 28, and added corresponding new dependent claims 33 and 34. Applicants respectfully submit that claims 27 and 28, and their respective dependent claims, are also patentable over the art of record.

Applicants respectfully request that the rejections be reconsidered and
withdrawn.


Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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